

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

NOTICE OF MOTION

Plaintiff,

10-CV-6005 (RWS)

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law dated March 14, 2013, Queens District Attorney Richard Brown (“Queens DA”) will move this Court before the Honorable Robert W. Sweet, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, at a date and time to be determined, for an Order quashing plaintiff’s subpoena seeking the deposition testimony of the Queens DA and further seeking documents relating to the “[a]ll documents pertaining to the investigation of criminal behavior concerning the entry into and removal of Adrian Schoolcraft from his home on October 31, 2009, as reflected in the attached Statement by District Attorney Richard A. Brown, dated December 4, 2012,” pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure. The Queens DA further seeks a Protective Order under Federal Rules of Civil Procedure 26(c), precluding the deposition of the Queens District Attorney Richard Brown on the grounds that the Queens DA has no relevant information and plaintiff has not demonstrated that he has unique information that cannot be obtained from another source.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1, plaintiff's response if any, is due no later than March 21, 2013, the Queens DA's reply, if any, is due no later than March 25, 2013.

Dated: New York, New York
March 14, 2013

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By:


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Docket No 10-CV-6005 (RWS)

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MICHAEL A. CARDOZO

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Due and timely service is hereby admitted.

New York, N.Y....., 2013

..... Esq.

Attorney for.....